

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
JASON FREDERICK MARSHALL,  
Defendant.

2:11-CR-239-JCM-CWH  
Order Pursuant to 18 U.S.C. § 4241(d)

Based upon a hearing conducted pursuant to the provisions of 18 U.S.C. § 4247(d), held January 12, 2012, pursuant to 18 U.S.C. § 4241 to determine the mental competency of the defendant to stand trial and upon the stipulation of counsel, and good cause appearing therefore,

IT IS THE FINDING OF THIS COURT, by a preponderance of the evidence, that the defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

IT IS THEREFORE HEREBY ORDERED that the United States Marshal's Service shall transport the Defendant to an appropriate federal medical center for evaluation and treatment for restoration of competency pursuant to 18 U.S.C. § 4241(d).

IT IS FURTHER ORDERED that the defendant shall be committed to the custody of the Attorney General and that the Attorney General shall hospitalize the defendant for treatment in a suitable facility--

(1) for such a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward; and

1 (2) for an additional reasonable period of time until--

2 (A) his mental condition is so improved that trial may proceed, if the court  
3 finds that there is a substantial probability that within such additional period of time  
4 he will attain the capacity to permit the proceedings to go forward; or

5 (B) the pending charges against him are disposed of according to law;  
6 whichever is earlier.

7 IT IS FURTHER ORDERED that if, at the end of the time period specified, it  
8 is determined that the defendant's mental condition has not so improved as to permit  
9 proceedings to go forward, the defendant is subject to the provisions of 18 U.S.C.  
10 sections 4246 and 4248.

11 IT IS FURTHER ORDERED that the defendant's medical treatment reasonably  
12 exhaust therapeutic treatment options prior to the implementation of any forced  
13 medication modalities.

14 Dated this 23rd day of January, 2012.

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17 Honorable James C. Mahan  
18 United States District Judge  
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